

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEFFREY RAY PEER,

Defendant.

8:06CR414

8:08CR100

ORDER

Defendant Jeffrey Ray Peer (Peer) appeared before the court on September 11, 2013, on the Petitions for Warrant or Summons for Offender Under Supervision (Petitions) (Filing No. 55 - 8:06CR414 and Filing No. 23 - 8:08CR100). Peer was represented by Assistant Federal Public Defender Julie B. Hansen and the United States was represented by Assistant U.S. Attorney Frederick D. Franklin. Through his counsel, Peer waived his right to a probable cause hearing on the Petitions pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petitions allege probable cause and Peer should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government moved for detention. Through counsel, Peer declined to present any evidence and waived a detention hearing. Since it is Peer's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Peer has failed to carry his burden and that Peer should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:30 a.m. on October 17, 2013**. Defendant must be present in person.
2. Defendant Jeffrey Ray Peer is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 12th day of September, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge